IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

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This matter is before the court on the motion of Assistant Federal Public Defender Carlos A. Monzon and the Office of the Federal Public Defender to withdraw as counsel for the defendant, Alejos Arratia (Arratia) (Filing No. 37). Mr. Monzon represents he has a conflict of interest in this matter as he recently determined he represents another person who may have an adverse interest to that of Arratia. Mr. Monzon's and the Office of the Federal Public Defender's motion to withdraw (Filing No. 37) is granted. Dana C. Bradford III,1620 Dodge Street, # 1800, Omaha, NE 68102, (402) 342-4200, is appointed to represent Arratia for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Monzon shall forthwith provide Mr. Bradford with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Monzon which are material to Arratia's defense.

The clerk shall provide a copy of this order to Mr. Bradford, and he shall file his appearance forthwith.

The trial of this matter is scheduled **for July 19, 2005**, before Senior Judge Thomas M. Shanahan and a jury. The ends of justice have been served by granting such additional time to prepare for trial and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting such time, i.e., the time between **April 15, 2005** and **July 19, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due

diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)

IT IS SO ORDERED.

DATED this 19th day of April, 2005.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge